

UNITED STATES DISTRICT COURT

DISTRICT OF GUAM  
PROBATION OFFICE

ROSSANNA VILLAGOMEZ-AGUON  
CHIEF U.S. PROBATION OFFICER



**MAIN OFFICE**  
2ND FLOOR, U.S. COURTHOUSE  
520 WEST SOLEDAD AVENUE  
HAGATNA, GUAM 96910  
TEL: (671) 473-9201  
FAX: (671) 473-9202

**N.M.I. OFFICE**  
HORIGUCHI BUILDING RM 4D  
P.O. Box 502089  
SAIPAN, MP 96950  
TEL: (670) 236-2991  
FAX: (670) 236-2992

September 11, 2008

**F I L E D**  
Clerk  
District Court

The Honorable Alex R. Munson  
Chief Judge  
U.S. District Court of the Northern Mariana Islands  
Horiguchi Building  
Saipan, MP 96950

**SEP 11 2008**

For The Northern Mariana Islands  
By \_\_\_\_\_  
(Deputy Clerk)

Re: **KALEN, LAWRENCE J.**  
**U.S.D.C. Cr. Cs. No.: 08-00014-002**

**Report of Third Party Custodian**

Dear Judge Munson:

On April 24, 2008, the defendant, Lawrence Sablan Kalen, was arrested pursuant to a warrant issued by the District of the Northern Mariana Islands on a DEA case. He is charged with three counts of Distribution and Possession with Intent to Distribute a Controlled Substance, in violation of 21 U.S.C. §§ 846, and 841(a)(1), (b)(1)(C) and 18 U.S.C. § 2. The defendant appeared for Initial Appearance Hearing on April 25, 2008, and through Defense Attorney Bruce Berline, he pled not guilty to the charges. The court accepted the plea and set jury trial for June 30, 2008, which was subsequently continued to September 8, 2008.

On June 5, 2008, the defendant appeared for a Bail Hearing with Attorney Berline. The court set bail on the following conditions: post \$5,000 unsecured bond; submit to third party custody; report to the U.S. Probation Office for pretrial supervision; surrender his passport other travel documents and not obtain any new ones; avoid all contact, directly or indirectly, with any persons who are or who may become a victim or potential witness in the subject investigation, including his co-defendants unless in the presence of his attorney and in preparation for trial; refrain from possessing a firearm, destructive device, or other dangerous weapons; refrain from any use of alcohol; submit to any method of testing required by the pretrial services office or the supervising officer for determining whether the defendant is using a prohibited substance. Such methods may be used with random frequency and include the wearing of a sweat patch, a remote alcohol testing system, and/or any form of prohibited substance screening or testing; participate in a program of inpatient or outpatient substance abuse therapy and counseling if deemed advisable by the pretrial services office. The defendant was released to conditions set by the court.

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On August 28, 2008, the defendant appeared with Attorney Berline for a Change of Plea Hearing. He pled guilty to Count III of the Indictment which charges him with Distribution and Possession with Intent to Distribute D-Methamphetamine Hydrochloride, in violation of 21 U.S.C. §§ 841(a)(1) and (b)(1)(C). He was released to conditions previously set by the court.

On August 29, 2008, Mr. Berline contacted the probation officer and advised that the defendant will seek a substitution of his third party custodian to Ms. Karleen Johnny, his maternal aunt, to allow closer access to his job site, which is in Garapan. Karleen Johnny was interviewed as potential third party custodian.

On September 10, 2008, the defendant advised this officer that a telephone to the proposed residence in Upper MIHA Housing in Garapan was connected. A home visit was conducted and determined to meet the minimum standards of housing for electronic monitoring, however, the telephone subscription did not meet the service requirements.

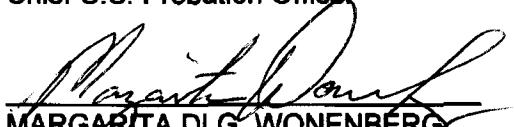
Ms. Johnny resides in a two bedroom concrete house. The defendant will occupy one bedroom and his aunt and her two minor children will use the other. A records check with the Division of Records and Firearms at the Department of Public Safety verified that Karleen Johnny has no prior criminal history.

Ms. Johnny stated that she understands the responsibilities as guardian and agrees to abide by them. Based on the foregoing information, this officer submits that Karleen Johnny is an appropriate third-party custodian for the defendant.

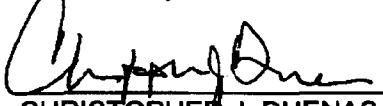
Respectfully submitted,

ROSSANNA VILLAGOMEZ-AGUON  
Chief U.S. Probation Officer

By:

  
MARGARITA D. WONENBERG  
U. S. Probation Officer

Reviewed by:

  
CHRISTOPHER J. DUEÑAS  
U.S. Probation Officer Specialist

cc: Eric O'Malley, AUSA  
Bruce Berline, Defense Attorney